

Article - Health - General

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§7-1013. IN EFFECT

** IN EFFECT UNTIL OCTOBER 1, 2021 PER CHAPTERS 521 AND 522 OF 2016 **

(a) (1) Each individual who is being paid less than the minimum wage under § 3-414 of the Labor and Employment Article and the individual's resource coordinator, in consultation with members from the individual's team, shall develop as part of the individual's annual individual plan a supplemental plan that addresses how community integration and employment will be accomplished.

(2) The resource coordinator shall use appropriate communication devices and techniques, including sign language, to facilitate the involvement of the individual in the development of the individual's supplemental plan.

(b) An individual's supplemental plan shall include:

(1) The resource coordinator's recommendation on the most integrated setting appropriate to meet the individual's needs;

(2) A description of the services and supports that are required for the individual to receive services in the most integrated setting appropriate to meet the individual's needs;

(3) A listing of barriers that prevent the individual from receiving the services and supports required for the individual to work in the most integrated setting appropriate to meet the individual's needs, including:

(i) Barriers to accessing funding and resources, including for staffing, transportation, and other needed services and supports;

(ii) Decision making by the individual or the individual's representative, as appropriate;

(iii) Barriers to accessing medical or behavioral support needs;
and

(iv) Family members' concerns or opposition; and

(4) An update on the status and progress toward addressing and resolving barriers identified under item (3) of this subsection in a previous supplemental plan.

(c) The Administration shall develop, in consultation with interested stakeholders, the planning protocol and format for the supplemental plan.

(d) (1) On an annual basis and at any other time requested by an individual who is paid less than the minimum wage under § 3–414 of the Labor and Employment Article, the individual and the individual’s resource coordinator and team shall discuss the most integrated employment setting that is appropriate for the individual in accordance with the federal Americans with Disabilities Act.

(2) The resource coordinator shall document in the individual’s annual individual plan:

(i) Any discussions held under paragraph (1) of this subsection; and

(ii) Any recommendations that resulted from the discussions.

(e) (1) The Administration shall track the progress of individuals with a supplemental plan by collecting the following data:

(i) The wages of the individuals;

(ii) The unemployment rates of the individuals;

(iii) The number of individuals who move from subminimum wage positions to competitive, integrated employment; and

(iv) The number of individuals who move from subminimum wage positions to nonpaying activities.

(2) On or before September 1, 2018, 2019, and 2020, the Administration shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a summary of the data collected under paragraph (1) of this subsection on a statewide and regional basis.

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